

**Minutes
Town of Lake Park
Regular Commission Meeting
Wednesday, June 15, 2005 7:30 p.m.**

The Town Commission of the Town of Lake Park, Florida met on Wednesday, June 15, 2005 at 7:30 p.m. in the Commission Chambers located at 535 Park Avenue, Lake Park, Florida for the purpose of a Regular Commission Meeting. Present was Mayor Paul W. Castro, Vice Mayor Paul Garretson, Commissioners Ed Daly, Jeff Carey, and Chuck Balius. Also present was Town Attorney Thomas Baird, Interim Town Manager Paul Carlisle, and Town Clerk Stephanie Thomas.

Mayor Castro called the meeting to order at 7:30 p.m.

Vice Mayor Garretson led the Invocation.

Mayor Castro led the Pledge of Allegiance.

Stephanie Thomas, Town Clerk performed the Roll Call.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

None.

Motion: A motion was made by Vice Mayor Garretson to approve the June 15, 2005 Regular Commission Meeting Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

PUBLIC AND OTHER COMMENT

The following person(s) addressed the Commission:

Richard Ahrens, 1461 Kinetic Road, Inquired about the Water Tower Road refund check disbursement.

Jim Knox, 414 Lake Shore Drive, Inquired about the hours of operation for the Lake Park Harbor Marina.

Zepheniah Davis, 523 Foresteria Drive, opined his favor of the Town having its own Police Department to improve safety in the community.

Barbara Giannini, 839 Hawthorne Drive, inquired about the canopy ordinance.

Diane Coon, 338 Hawthorne Drive, inquired about the canopy ordinance.

Milan Buncome, 1025 7th Street, inquired about trees in the swale.

SPECIAL REPORTS BY BOARDS/COMMITTEES

Presentation of Annual Report by the Lake Park Harbor Marina Advisory Board.

Mr. James Dubois, Chairman of the Lake Park Harbor Marina Advisory Board, 516 Sabal Palm Drive, gave a brief presentation of the annual report. Mr. Dubois expressed his hopes of the Commission's approval of the presentation. Mr. Dubois voiced his belief that the Lake Park Harbor Marina Advisory Board is a multipurpose arc and affects the entire Town. He indicated that in the near future the board would like to see a formal safety training program implemented for members of personnel. Mr. Dubois spoke briefly about the brick pavers project, and stated that he will provide an in depth presentation about the brick pavers project at the July 20th Regular Commission Meeting. The Town Commission indicated that they were pleased to receive the Annual Report, and feel that it was well written and informative.

CONSENT AGENDA

Commission Meeting Minutes from May 18, 2005

Commission Meeting Minutes from June 1, 2005.

Justice Assistance Grant

Motion: A motion was made by Vice Mayor Garretson to approve the Consent Agenda; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO: 18-05-05 Seacoast Utilities Easement

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A UTILITY EASEMENT ON BEHALF OF THE TOWN AN IN FAVOR OF SEACOAST UTILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion: A motion was made by Commissioner Balias to approve the Resolution 18-05-05; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Paul Carlisle, Interim Town Manager explained that this is the Sewer force main at the Marina; Seacoast will take ownership of the easement.

DISCUSSION AND POSSIBLE ACTION

Town Manager's contract

The Town Commission expressed the following concerns pertaining to Mr. Carlisle's contract proposal.

- Request to waive the residence requirement.
- Term notification clause. Thirty (30) day notification clause for termination notification, and resignation notification.
- Salary range should be between \$85-90,000.00.
- Would like to reduce sick leave to at least 3 months.
- Does not like the idea of unlimited use of the Town vehicle.
- Does not support the Public Works Director reverter clause.

Commissioner Carey stated that he is willing to work with the Commission to negotiate the best contract possible for Paul Carlisle to become the Town Manager. Commissioner Carey was in favor of Mr. Carlisle was in favor of waiving the residential requirement as well as the salary range.

Commissioner Daly stated that he is also willing to work with the Commission to negotiate a contract for Paul Carlisle to become the Town Manager. Commissioner Daly stated that Mr. Carlisle has proven himself to the Town.

Jeanine Longtin 424 Flagler Blvd. expressed her concerns with the Town Manager contract. The termination clause in the contract is in conflict with the Town's Code of Ordinance which states that the Town Manager is to be removed by 4/5 of the majority

vote. Ms. Longtin went on to state that during the Hurricanes of 2004 Mr. Carlisle picked up the slack although he was not the point person designated for the Town and was always available.

Betty Collins 526 E. Redwood Drive expressed her concerns with the Town Manager contract. Ms. Collins thanked the Commission for being available and helpful whenever she has needed assistance. Ms. Collins feels that Paul Carlisle did not want the position until recently and his contract expresses a negative attitude with the entire revision clause.

Mayor Castro and the Commission came to consensus to have the town Attorney negotiate several areas of the Town Manager contract and bring back before the Commission.

QUASI JUDICIAL HEARING(S)

Special Exception at 910 10th Street: Specialty Grocery

Town Clerk swore in the witnesses.

The following exparte communications was declared:

Commissioner Carey	None
Commissioner Daly	None
Commissioner Balius	None
Vice Mayor Balius	None
Mayor Castro	Mayor Castro spoke with Mr. Exline regarding the project.

Mayor Castro gave a brief summary of the Specialty Grocery store then asked staff to give a presentation on this proposal.

Larry Szykowski, Community Development Director gave a presentation and brief overview of the store, including the hours of operation. The applicant has met all requirements regarding the Special Exception. A Resolution will be brought back before the Commission at its next meeting under Consent Agenda.

Jim Exline, Principal Urban Land Consultant was in complete agreement with the staff report. Mr. Exline stated that an extra dumpster pick-up would be acceptable if found necessary, and the hours of operation to close around 9 p.m., and building a dumpster enclosure. After an in depth discussion, the Commission came to consensus to approve the Special Exception.

Motion: A motion was made by Commissioner Daly to approve the Special Exception with the condition that the dumpster has an enclosure and to change the hours of operation to close by 9 p.m.; Vice Mayor Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		

Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Designation of Voting Delegate for the Annual Florida League of Cities Conference.

Motion: A motion was made by Commissioner Balius to appoint Mayor Castro as the Designated Voting Delegate for the Annual League of Cities Conference; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Staff Presentation of the proposed Restaurant.

After the presentation, Mayor Castro and the Commission discussed their concerns regarding the restaurant; the floor was opened for public comment.

James Lloyd 220 Lake Shore Drive expressed his concerns with the parking issues at the Marina. Although Mr. Lloyd agrees with a restaurant at the Marina, his concern is that when the restaurant is opened the parking issue will get worse.

Robert Wummer 110 Lake Shore Drive Lake Shore Drive, concerned with the parking issue and Marina isn't fully functional. Although Mr. Wummer agrees with the restaurant the parking issue will become worse as people become aware of the opening of the Marina.

Greg Defley 138 Lake Shore Drive also expressed his concerns with the parking issue at the Marina.

The Mayor and Commission directed the Town Manager to prepare an Request for

Proposal (RFP) to include the footprint of the restaurant and address the parking issue as well as all the other operation issues of running an establishment.

10th Street Property Rezoning.

Mayor Castro explained that the original Ordinance created to rezone the 10th Street property to commercial had the incorrect legal description listed. The wrong property was made commercial. There was consensus among the Commission that the property should remain residential. Mayor Castro allowed comment from the public.

Rick Goodsell 410 9th Street lives behind the proposed property to be rezoned and is concerned that the property should be rezoned commercial as it was intended.

Richard Ahrens, owner of subject property explained the history of the property and the zoning issues.

Don Franklin, Ahrens Company, LLC Partner expressed his concerns regarding the rezoning issue of this property.

Motion: A motion was made by Vice-Mayor Garretson to leave the zoning as R2 Residential; Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Balias		X	
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Garretson	X		
Mayor Castro	X		

Motion passed 4-1.

COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY

Mayor Castro

Mayor Castro wanted an update on the generator for Town Hall. Paul Carlisle, Interim Town Manager explained that TAW is preparing a pricing list and it takes 16 weeks for delivery.

Mayor Castro wanted to know why the sound system is still not working properly. Paul Carlisle, Interim Town Manager explained that the system has been changed. Hoa Hoang Assistant to the Town Manager is still in the process of balancing the system. Two speakers in the Commission Chamber still need to be replaced to complete the process.

Commissioner Balius

Commissioner Balius has received several complaints regarding dumpsters in the swales. Commissioner Balius feels the Public Works department is letting the Town down because they should know that the dumpsters do not belong in the swale. He also reported that he has received complaints regarding minimum housing and cars parked in the swales. Commissioner Balius stated that the ball field has been destroyed.

Commissioner Balius stated that he has not been given a report from Palm Beach County Sheriffs Office (BSO) monthly as intended. Commissioner Balius stated that the majority of his calls are regarding Code Compliance issues. Commissioner Balius remarked about parking in the Town. Commissioner Balius stated that he would rather see grass in the median than red mulch. He stated that it is time the town changes its welcome signs.

Commissioner Balius stated that the Code Compliance report showed less productivity since a second person was hired. He wanted to know the status of the missing plaques.

Commissioner Daly

Commissioner Daly stated that a dumpster was placed in front of a residential driveway. Although there have not been any complaints it should be removed.

Commissioner Daly would like to have a golf cart at the Marina for the security guard to travel around the property.

Commissioner Carey

Commissioner Carey would like to have a volunteer form in the Lake Park Newspaper. The volunteer will be paired up with someone with special needs during an emergency situation.

Town Attorney

None

Town Manager

None

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 10:50 p.m.

Mayor Paul Castro

Town Clerk Stephanie Thomas

Vivian Mendez, Deputy Town Clerk

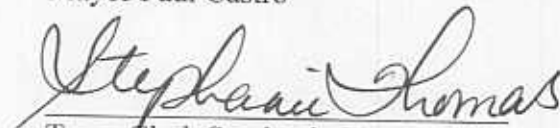
Approved on this 6th day of July, 2005.

ADJOURNMENT


There being no further business to come before the Commission and after a motion to adjourn by Commissioner Balius and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 10:50 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas



Vivian Mendez, Deputy Town Clerk



Approved on this 6th day of July, 2005.